

IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA

JOSEPH BEAR WALKER,  
Plaintiff,

v.

POTTAWATOMIE COUNTY PUBLIC  
SAFETY CENTER TRUST,  
Defendant.

FILED  
IN THE DISTRICT COURT OF  
POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA

JAN 29 2024

CLERK OF DISTRICT COURT  
POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA

Case No. CJ-2024- 39

**PETITION**

COMES NOW the Plaintiff, Joseph Bear Walker, by and through his attorney of record, Greg Wilson, and files this Petition for damages and relief against the Defendant, Pottawatomie County Public Safety Center Trust, and in support thereof, alleges as follows:

**PARTIES**

1. Plaintiff Joseph Walker ("Plaintiff" or "Joe" herein) is an individual residing in Pottawatomie County, Oklahoma.
2. Defendant Pottawatomie County Public Safety Center Trust ("Defendant" or "PCPSC" herein) is a public entity located at 14209 Highway 177, Shawnee, Pottawatomie County, Oklahoma. Defendant is liable for the actions and inactions of its employees and agents.
3. Venue is proper in Pottawatomie County, Oklahoma, as the events giving rise to this cause of action occurred within this county.
4. Plaintiff served a Governmental Tort Claim Notice upon the PCPSC and followed the statutory requirements.
5. This Court has jurisdiction over these parties and this subject matter.

**FACTUAL BACKGROUND**

6. On or around June 12, 2022, Joe was placed into custody with the PCPSC.
7. Upon entering PCPSC, Joe underwent medical clearance to enter the jail facility.

8. Despite medical clearance, Joe, who only had one lower leg, was consistently denied the necessary healthcare diagnosis, treatment, and appropriate medical devices essential to his well-being.

9. PCPSC staff, despite being aware of Joe's unique physical condition, failed to accommodate his mobility limitations and failed to provide necessary assistive devices. This failure resulted in an environment where Joe was forced to navigate slippery wet floors without proper assistance, leading to multiple falls, further injuries, and unnecessary pain.

10. Moreover, Joe was subjected to unsanitary, unclean, and unsafe conditions of confinement within PCPSC. Cells were overcrowded, and floors were often slippery due to water leakage. Access to basic hygiene facilities was inadequate, leaving Joe vulnerable and exposed to deplorable conditions.

11. As a direct result of these substandard conditions, Joe developed a severe ulcer on his remaining lower leg. Despite repeatedly bringing this issue to the attention of PCPSC staff, his pleas for medical attention went unanswered. Over time, the ulcer worsened, causing excruciating pain and posing a grave risk to his health.

12. The ulcer progressed to a critical state, posing a life-threatening situation for Joe. Medical intervention was delayed, and by the time he received necessary care, it was too late to salvage his lower leg. On or about July 26, 2022, Joe was released from the PCPSC on a medical own recognizance bond. On or about August 11, 2022, doctors at OU Hospital were forced to amputate Joe's left lower leg to prevent the further spread of infection and to save his life.

13. The entire ordeal, from the initial denial of appropriate medical care to the eventual amputation, subjected Joe to unimaginable pain, suffering, and emotional distress. He not only endured physical pain but also the emotional trauma of watching his health deteriorate while his pleas for help were ignored.

14. Moreover, Joe suffered severe emotional distress due to the egregious conduct of PCPSC staff. Throughout his confinement at PCPSC, Joe was subjected to a pattern of demeaning, humiliating, and unprofessional treatment. PCPSC staff openly taunted, ridiculed, and mocked Joe, creating an environment that was not only emotionally abusive but also wholly inappropriate. This malicious behavior exacerbated Joe's emotional anguish and caused significant additional harm.

15. Joe's life has been forever altered as a result of the PCPSC's negligence, disregard for his well-being, and the egregious conduct of PCPSC staff. He now faces a future filled with challenges, substantial medical expenses, and the permanent loss of mobility, all stemming from the PCPSC's actions and omissions.

COUNT 1: NEGLIGENCE

16. PCPSC had a duty to provide adequate medical care to inmates, including Joe.

17. Breach of Duty: PCPSC breached its duty by failing to provide timely and appropriate medical care and by not accommodating Joe's medical condition.

18. PCPSC's breach of duty directly caused Joe's injuries and damages.

19. Joe suffered severe injuries, substantial medical expenses, physical and mental anguish, and emotional distress as a result.

COUNT 2: DELIBERATE INDIFFERENCE TO MEDICAL NEEDS

20. Joe had a serious medical need.

21. PCPSC was aware of Joe's serious medical need.

22. PCPSC deliberately disregarded Joe's serious medical need.

23. Joe suffered harm as a result of PCPSC's deliberate indifference.

COUNT 3: INADEQUATE CONDITIONS OF CONFINEMENT

24. PCPSC had a duty to maintain safe and adequate conditions of confinement.

25. PCPSC breached its duty by subjecting Joe to inadequate conditions, including but not limited to slippery wet floors and lack of accommodations.

26. Joe suffered injuries and harm due to the inadequate conditions.

COUNT 4: VIOLATION OF CONSTITUTIONAL AND STATUTORY RIGHTS

27. Joe had constitutional and statutory rights to receive adequate medical care and be free from cruel and unusual punishment.

28. PCPSC's actions and omissions violated Joe's constitutional and statutory rights.

29. Joe suffered harm and damages as a result of the violations.

COUNT 5: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

30. PCPSC engaged in extreme and outrageous conduct.

31. PCPSC's conduct was intentionally designed to cause severe emotional distress.

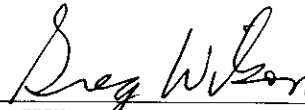
32. Joe suffered severe emotional distress as a direct result of PCPSC's conduct.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Joseph Walker prays for judgment against Defendant Pottawatomie County Public Safety Center Trust as follows:

- A. Actual compensatory damages for the injuries and damages suffered, including medical expenses, pain, suffering, and emotional distress.
- B. Punitive damages to punish Defendant for its reckless and willful conduct.
- C. Attorney's fees and costs incurred in pursuing this lawsuit.
- D. Any other relief deemed just and proper by this Court.

Respectfully submitted,

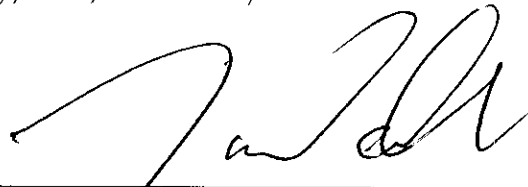


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Greg Wilson, OBA No. 17461  
WILSON LAW FIRM, PLLC  
502 N. Broadway  
Shawnee, OK 74801  
(405) 275-5555  
Greg@ShawneeLaw.com  
Attorney for Plaintiff

Verification

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct. Dated this 23rd day of January, 2024, in Shawnee, Oklahoma.



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Joseph Bear Walker, Plaintiff